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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

DONALD WASHINGTON, JR,
Plaintiff,
v.
DELAROSA , *et al.*,
Defendants.

Case No. 2:08-CV-01273-KJD-PAL

ORDER

On Feb. 12, 2010, Magistrate Judge Leen issued an Order (#12) requiring Plaintiff to file an Amended Complaint by March 9, 2010 or face dismissal of his action. Plaintiff did not file an Amended Complaint, but instead filed a Motion (#15) which the Court construed as a request for voluntary dismissal. On September 30, 2010, the Court issued an Order (#16) requiring Plaintiff to inform the Court within 30 days whether he intended to pursue his case. On October 12, 2012, Plaintiff filed a Response (#16) stating that he would like to pursue his legal rights, but he has failed to file an Amended Complaint over two years after being ordered to do so. Accordingly, this action is dismissed for failure to comply with Magistrate Judge Leen’s Order and for failure to prosecute pursuant to Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

DATED this 23rd day of March 2012.



Kent J. Dawson
United States District Judge